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**AMENDMENT TO H.R. 5658, AS REPORTED  
OFFERED BY MS. MOORE OF WISCONSIN**

Page 283, after line 3, insert the following:

1 **SEC. 734. MENTAL HEALTH SERVICES ACCESS DEMONSTRA-**  
2 **TION PROJECT.**

3 (a) **DEMONSTRATION PROJECT REQUIRED.**—The  
4 Secretary of Defense shall conduct a demonstration  
5 project designed to develop options for increasing access  
6 of service members returning from deployment abroad,  
7 and family members of such service members, to safe and  
8 confidential mental health counseling, for reducing stigma  
9 associated with such members seeking such services, and  
10 for making mental health services more user friendly and  
11 accessible for service members and their family members.

12 (b) **SPECIAL WORKING GROUP.**—

13 (1) **ESTABLISHMENT.**—The Secretary of De-  
14 fense shall establish a Special Working Group, head-  
15 ed by the Assistant Secretary of Defense for Health  
16 Affairs, to develop guidelines and other rec-  
17 ommendations applicable to the demonstration  
18 project under subsection (a) to ensure that service  
19 member confidentiality is protected to the maximum  
20 extent possible under such demonstration project.

1           (2) COMPOSITION.—The Special Working  
2       Group shall be composed of mental health profes-  
3       sionals from each branch of the Armed Services, of-  
4       ficials from each office of the Surgeon General of  
5       each such branch, service members who have been  
6       deployed in support of Operation Enduring Freedom  
7       or Operation Iraqi Freedom, and other members as  
8       determined appropriated by the Assistant Secretary  
9       of Defense for Health Affairs. The Secretary of De-  
10      fense is encouraged to appoint members of the Spe-  
11      cial Working Group not later than 60 days after the  
12      date of the enactment of this Act.

13           (3) DUTIES.—The duties of the Special Work-  
14      ing Group shall include at least the following:

15           (A) The development of changes to mili-  
16      tary command notification requirements to en-  
17      sure that visits to the off-base treatment sites  
18      established under the demonstration project  
19      under subsection (a) are not recorded on the  
20      military medical record or other record of a  
21      service member, except as specified under the  
22      guidelines developed under subparagraph (B).

23           (B) The development of guidelines to out-  
24      line exceptions to the confidentiality protections  
25      developed by the Special Working Group and

1       circumstances under which any appropriate no-  
2       tification must be made to military com-  
3       manders. Such guidelines shall—

4               (i) primarily provide that confiden-  
5       tiality may only be broken if the mental  
6       health professional involved determines  
7       that the service member involved is a  
8       threat to the service member or to another;  
9       and

10              (ii) determine how best to structure  
11       limited access to the treatment records of  
12       service members treated at a sites of the  
13       demonstration project under subsection  
14       (a), including when to allow, consistent  
15       with section (i), military commanders ac-  
16       cess to records of such service member.

17       (C) The development of guidelines to en-  
18       sure that sites providing mental health services  
19       under the demonstration project to service  
20       members are able to receive payments from the  
21       Department of Defense to treat such service  
22       members notwithstanding any Department re-  
23       quirements preventing such payments without  
24       certain notifications to military commanders of  
25       such service members.

1 (D) The provision of changes to military  
2 procedures, forms, and questionnaires to ensure  
3 that service members receiving care at sites of  
4 the demonstration project are not required to  
5 reveal any services they receive at these sites on  
6 any military form or questionnaire, except to  
7 comply with any guidelines developed under  
8 subparagraph (B).

9 (E) The development of evaluation stand-  
10 ards to use to demonstrate the effectiveness of  
11 the demonstration project in increasing access  
12 to care, decreasing stigma, and improving the  
13 quality of mental health care provided to service  
14 members. As appropriate, such evaluation  
15 standards should be structured to include as-  
16 sessments of conditions before and after the  
17 demonstration project, including an assessment  
18 of—

- 19 (i) access to and utilization of mental  
20 health services;  
21 (ii) costs of such services;  
22 (iii) outcomes of such services; and  
23 (iv) service member satisfaction with  
24 such services provided.

1           (4) COMPLETION DATE.—The duties of the  
2       Special Working Group shall be completed prior to  
3       selection of any site of the demonstration project  
4       under subsection (a), but in no case shall the date  
5       of completion of such duties be later than one year  
6       after the date of the enactment of this Act.

7           (5) APPLICATION OF GUIDELINES AND REC-  
8       OMMENDATIONS.—The guidelines and other rec-  
9       ommendations, including changes and standards, de-  
10      veloped by the Special Working Group under this  
11      subsection shall be applicable only to the demonstra-  
12      tion project under subsection (a) unless the Sec-  
13      retary of Defense determines otherwise.

14       (c) DURATION OF PROJECT.—The mental health  
15      demonstration project shall be implemented for a period  
16      of two years beginning not later than one year after the  
17      date of the enactment of this Act.

18       (d) REPORTS.—The Secretary of Defense shall sub-  
19      mit to the Committees on Armed Services of the Senate  
20      and the House of Representatives two reports on the dem-  
21      onstration project. The first report shall be submitted not  
22      later than one year after the date the project is first imple-  
23      mented and a second report not later than two years after  
24      such date. Each report shall include the results of an eval-

- 1 uation of the demonstration project conducted in accord-
- 2 ance with the standards under subsection (b)(3)(E).

